

CITY OF ALAMEDA PLANNING BOARD DRAFT RESOLUTION

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING PLN11-030 – CONSTRUCTION OF A DUPLEX AT 2004 CLINTON AVENUE

WHEREAS, an application was made on September 28, 2011, by Michael Chang, requesting design review approval for the construction of a two-story, duplex with approximately 3,638-square feet of conditioned floor area and an attached 744-square foot, 4-car garage; and

WHEREAS, the application was accepted as complete on December 6, 2011; and

WHEREAS, the project site is located within a R-4 (Neighborhood Residential) zoning district; and

WHEREAS, the project site is located within a Medium Density Residential District; and

WHEREAS, Planning Board filed a call for review on December 27, 2011 pursuant to Section 30-25.3 of the Alameda Municipal Code.

WHEREAS, Planning Board held a public hearing on this application on January 23, 2012; and

WHEREAS, the Planning Board has made the following findings concerning the project:

1. The proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual.

The project has been reviewed for consistency with City development regulations, policies and design guidelines. The project would provide a contemporary structure that utilizes design elements that are present in other structures within the architecturally diverse neighborhood.

2. The proposed design is appropriate for the site, is compatible with adjacent or neighboring buildings or surroundings, and promotes harmonious transitions in scale and character in areas between different designated land uses.

Based on review of project plans and visits to the site, this project has been deemed compatible and harmonious with the design and use of surrounding properties. Project massing and scale is consistent with the character of this neighborhood.

3. The proposed design of the structure and exterior materials and landscaping are visually compatible with the surrounding development, and design elements have

been incorporated to ensure the compatibility of the structure with the character and uses of adjacent development.

The subject property is a contemporary structure that utilizes building scale and surface treatments that are compatible with other structures within the neighborhood. These surface treatments include wood siding, windows with vertical elements (i.e., single-hung style), and façade columns. The neighborhood maintains diversity in architectural styles that include Victorian, Craftsman Bungalows, Colonial Revivals, Spanish Colonial Revivals, and contemporary structures with flat roofs.

BE IT RESOLVED THAT, the project is Categorically Exempt from additional environmental review pursuant to CEQA Guidelines Section Guidelines Section 15303 – New construction or conversion of small structures.

BE IT FURTHER RESOLVED THAT the Planning Board of the City of Alameda hereby approves Design Review Application, PLN11-0310 for 2004 Clinton Avenue: Construction of a two-story, duplex with approximately 3,638-square feet of conditioned floor area and an attached 744-square foot, 4-car garage subject to compliance with the following conditions:

- (1) This approval is valid for two years and will expire on **January 23, 2014** unless construction has commenced under valid permits. *Please note: The approval may be extended to December 19, 2015 upon submittal of an extension request and the associated fee.*
- (2) The plans submitted for building permit and construction shall be in substantial compliance with plans prepared by MK Design Group, received on November 23, 2011 and on file in the office of the City of Alameda Community Development Department, except as modified by the conditions listed in this letter.
- (3) Plans submitted for building permit approval shall include an electronic version of the plans in PDF format.
- (4) Provide a site survey, prepared by a State licensed surveyor with the plan set provided for building permit approval, subject to approval of Planning Division staff.
- (5) Building permit plans shall incorporate the approved window schedule format.
- (6) Final plans shall define the manufacture, style, material, and clear opening size of all new and replaced windows, to the satisfaction of the Planning and Building Director. Plans shall provide window cross-sectional details.
- (7) New exterior lighting fixtures shall be low intensity, directed downward and shielded to minimize offsite glare.
- (8) A site inspection to determine compliance with this Design Review Approval is required prior to the final building inspection and/or to the issuance of a Certificate of

Occupancy. The applicant shall notify the Community Development Department at least four days prior to the requested Planning Inspection dates.

- (9) The final plans, submitted for building permit approval, shall conform to all applicable codes and guidelines.
- (10) Any additional exterior changes shall be submitted to the Community Development Department for review and approval prior to construction.
- (11) IF APPLICABLE: Prior to issuance of building permits for the project, the applicant shall pay all applicable Public Art fees and satisfy applicable requirements to implement public art pursuant to AMC Section 30-65.
- (12) HOLD HARMLESS. The applicant shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda, its Redevelopment Agency, the Alameda City Planning Board and their respective agents, officers, and employees from any claim, action, or proceeding (including legal costs and attorney's fees) against the City of Alameda, Alameda Redevelopment Agency, Alameda City Planning Board and their respective agents, officers or employees to attack, set aside, void or annul, an approval by the City of Alameda, the Planning and Building Department, Alameda City Planning Board, the City of Alameda Redevelopment Agency or City Council relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6

NOTICE. The conditions of project approval set forth herein include certain fees and other exactions. Pursuant to Government Code Section 66020 (d) (1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and exactions. The applicant is hereby further notified that the 90-day appeal period, in which the applicant may protest these fees and other exactions, pursuant to Government Code Section 66020 (a) has begun. If the applicant fails to file a protest within this 90-day period complying with all requirements of Section 66020, the applicant will be legally barred from later challenging such fees or exactions.

The decision of the Planning Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by filing with the Planning and Building Department a written notice of appeal stating the basis of appeal and paying the required fees.

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